

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JOSETTE CARUSO and BRADLEY L.
CONWAY,

Plaintiffs,

v.

HAZIM AUDALLA, CHARLES
FABRIKANT, FRED FARKOUH, R. CHRIS
REGAN, DAVID BONDY, G. TODD
CONWAY, DAVID C. ROBERTS,
DEANNA L. KOESTEL, and THE
AMERICAN ARBITRATION
ASSOCIATION,

Defendants,

and

AUTOCLEAR, LLC,

Nominal Defendant

(Electronically Filed)

Civil Case No.: 17-cv-008245(RJS)

NOTICE OF MOTION

PLEASE TAKE NOTICE, that upon the annexed Declaration of Robert Mahoney, dated August 6, 2018, and the exhibits annexed thereto, and the accompanying Memorandum of Law dated August 6, 2018, defendants, Charles Fabrikant, Fred Farkouh, R. Chris Regan, David Bondy, G. Todd Conway, David Roberts, Deanna Koestel, and Autoclear, LLC, a Nominal Defendant, will move this Court, before the Honorable Richard J. Sullivan, United States District Judge for the Southern District of New York, 40 Foley Square, Courtroom 619, New York, New

York, on a date and time as designated by the Court, for an Order pursuant to Fed.R.Civ.P. 12(b)(1) and 12(b)(6) dismissing the First Amended Complaint (Docket Entry 11) and the Second Amended Complaint (Docket Entry 15), with prejudice.

Dated: August 6, 2018

Respectfully submitted,

NORRIS, McLAUGHLIN & MARCUS

By: s/ Nicholas A. Duston

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TO:

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